

Appl. No. : 10/025,324  
Filed : December 18, 2001

### REMARKS

By this paper, Claims 17, 18, 20, 21, and 28 have been amended. Claim 19 has been canceled. Claims 16 and 23-27 remain unchanged by this Amendment. Hence, by this paper, Claims 16-18, 20-21, and 23-28 are presented for further examination.

I. Rejection of Claims 17-21 and 28 Under 35 U.S.C. § 112, Second Paragraph

On page 2 of the Office Action, Claims 17-21 were rejected under 35 U.S.C. § 112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." In particular, the Examiner stated that the "term 'low molecular weight' is not defined by the claim[s], the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention." Also, the Examiner stated that the phrase "in advance" in Claim 17 was indefinite for failing to indicate of what the phrase is "in advance." With respect to Claim 19, the Examiner indicated that there was insufficient antecedent basis for the limitation including the term "homopolymer." Finally, the Examiner stated that the term "undiluted solution of electrolyte" in Claim 28 is indefinite because the term "undiluted" is not defined.

Claim 19 is canceled. Each of Claims 17, 18, 20, 21 and 28 have been amended to more distinctly point out the invention to one of skill in the art. Thus, Applicant therefore submits that each of claims 17, 18, 20, 21, and 28, as amended, is allowable.

II. Rejection of Claims 16, 17, 20, 21, and 23-28 Under 35 U.S.C. § 103(a) as Being Unpatentable Over Xiang, et al.

On page 3 of the Office Action, the Examiner rejected Claims 16, 17, 20, 21, and 23-28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0104292 to Xing et al (hereinafter "*Xing*"). The Examiner indicated that Applicant cannot rely upon its foreign priority papers to overcome the rejection because "a translation of said papers has not been made of record in accordance with 37 C.F.R. 1.55.

Applicant has attached hereto an English translation of the certified Japanese Priority Application. In addition, Applicant has attached hereto a statement that the attached document is an accurate translation of the document. Thus, Applicant submits that the claims of the present

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application are entitled to the claimed foreign priority date and that *Xing* does not qualify as prior art under 35 U.S.C. § 102. Applicant therefore requests that the Examiner withdraw the rejection of Claims 16, 17, 20, 21, and 23-28.

### III. Conclusion

Applicant has endeavored to address all of the Examiner's concerns as expressed in the Office Action. Accordingly, amendments to the claims, the reasons therefor, and arguments in support of patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are made in order to improve the clarity of claim language, to correct grammatical mistakes or ambiguities, and to otherwise improve the clarity of the claims to particularly and distinctly point out the invention to those of skill in the art. Finally, Applicant submits that the claim limitations above represent only illustrative distinctions. Hence, there may be other patentable features that distinguish the claimed invention from the prior art.


In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and, particularly, that all claims be allowed. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully invited to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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